

REMARKS

Claims 1-10 and 14-21 have been cancelled. Claims 11, 12, and 22 has been amended to clarify the subject matter regarded as the invention. Claims 11-13, 22, and 24-43 are pending.

The Examiner has rejected claims 11-13 and 22 under 35 U.S.C. §102(e) as being anticipated by Woolston (U.S. Patent No. 5,845,265).

The rejection is respectfully traversed. Woolston discloses a method for creating a computerized market for used and collectible goods. A user in Woolston is allowed to provide data such as the owner's name, reserve price, and market or auction designation (Woolston, col. 10, lines 17-18). With respect to Claim 22, as amended, Claim 22 recites that the "at least one market protocol" includes "a customizable set of at least one market phase, wherein the market phase includes one or more user selectable trading primitives." Support for the amendment can be found, without limitation, on pages 6, 7, and 11 of the Specification. Woolston does not describe a "market protocol including a customizable set of at least one market phase, wherein the market phase includes one or more user selectable trading primitives" as recited in Claim 22. Therefore, Claim 22 is believed to be allowable.

Claims 11-13 and new claims 24-27 depend from Claim 22 and are believed to be allowable for the same reasons described above.

New claims 28-35 recite methods executed by the systems of Claims 22, 11-13, and 24-27, respectively. Therefore, it is believed that Claims 28-35 are also allowable.

New Claims 36-43 recite program code for carrying out the systems of Claims 22, 11-13, and 24-27, respectively. Therefore, it is believed that Claims 36-43 are also allowable.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Additionally, Applicants respectfully disagree with the Examiner's suggestion that Applicant's previous counsel "agree that the Woolston reference meets the limitations of the claimed invention when the user is providing data for only one good auctioned by the user" and that applicant's previous counsel "admitted data for a good auctioned by the user falls within the metes and bounds of the current claims." (February 23, 2007 Office Action, page 4.)

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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Robyn Wagner
Registration No. 50,575
V 408-973-2596
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014